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Attorneys for Plaintiff Bulwark Extermination, LLC

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

BULWARK EXTERMINATING, LLC, an
Arizona limited liability company,

Plaintiff,

v.

TEVITA T. FINE, an individual; and FINE
EXTERMINATING, LLC, a Nevada limited
liability company,

Defendants.

Case No.: 2:19-cv-01216-JCM-BNW

**STIPULATED PERMANENT
INJUNCTION AND ORDER OF
DISMISSAL**

Plaintiff Bulwark Exterminating, LLC (“Bulwark”) and Defendants Tevita T. Fine, also known as David Fine (“Fine”), and Fine Exterminating, LLC (collectively, “Defendants”), in compromise and settlement of this action, hereby stipulate to the entry of this Stipulated Permanent Injunction.

Upon stipulation of the parties and for good cause appearing, IT IS ORDERED that Defendants, along with their directors, principals, officers, agents, servants, employees, representatives, successors, and assigns, and all those persons or entities acting in concert or participation with them:

1. Are enjoined through November 30, 2022, from soliciting, servicing, diverting, taking away, or in any manner attempting to persuade any client or customer of Bulwark (or

1 anyone who has been a Bulwark customer in this past 3 years) to alter or discontinue his,
2 her or its relationship with Bulwark, or to receive pest control services from Defendants.

3 2. Are permanently and forever enjoined from:

- 4 a. Using or retaining any customer information learned at, or obtained through or
5 from, Bulwark (including information gained from other Bulwark employees,
6 Bulwark tablets, or any other Bulwark resource), except for the customer
7 information listed on Exhibit A to the parties' Settlement Agreement.
- 8 b. Using Bulwark's trademark (United States Trademark Registration No.
9 78010689), or other reproduction, counterfeit, copy, colorable imitation or
10 confusingly similar variations thereof in any advertising, marketing, or promotion
11 of any kind or nature in any form or media, now known or hereafter created,
12 including but not limited to on business cards, service agreements, vehicles, and
13 uniforms.
- 14 c. Engaging in unfair competition by suggesting in any way that Defendants' services
15 are affiliated or connected with, or approved or sponsored by, Bulwark.

16 IT IS FURTHER ORDERED that upon entry of this Stipulated Permanent Injunction and
17 Order of Dismissal, this action is hereby dismissed.

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1 IT IS FURTHER ORDERED that this Court will retain jurisdiction over the Parties and of
2 this matter in law and equity for purposes of enforcing and/or adjudicating claims of violations of
3 this Stipulated Injunction, and any disputes arising out of or in connection with the parties'
4 Settlement Agreement. Any proceeding to enforce the terms of this Permanent Injunction or the
5 Settlement Agreement shall be resolved by motion without the necessity of filing a new and
6 separate action.

7 DATED this 11th day of March, 2020.

8 **LEWIS ROCA ROTHGERBER CHRISTIE LLP**

9 By: /s/ Malani Dale Kotchka-Alanes

10 Malani Dale Kotchka-Alanes (NV State Bar # 13168)
11 Bruce E. Samuels (AZ State Bar # 015996)
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16 **PALMER LAW**

17 By: /s/ William B. Palmer, II*

18 William B. Palmer, II, Esq. (NV State Bar # 1803)
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23 *Attorney for Defendants*

24 *Electronic signature affixed with permission

25 **IT IS SO ORDERED:**

26 
27 UNITED STATES DISTRICT JUDGE

28 DATED: March 12, 2020.